

S.R. 506 - By Senator Harrington: Extending congratulations to City of Port Arthur.

S.R. 507 - By Senator Mengden: Extending welcome to students from Tomball Junior High.

S.R. 508 - By Senator Andujar: Extending congratulations to William Arthur Hobbs.

S.R. 509 - By Senator Gammage: Extending welcome to students from Woodson Junior High.

S.R. 510 - By Senator Gammage: Extending welcome to students from Jackson Junior High.

S.R. 511 - By Senator McKnight: Extending congratulations to Mrs. Blanche Eastwood.

S.R. 512 - By Senator Braecklein: Extending congratulations to Dallas Child Guidance Clinic.

ADJOURNMENT

On motion of Senator Aikin the Senate at 12:11 o'clock p.m. adjourned until 11:00 o'clock a.m. Monday, April 9, 1973.

APPENDIX

Sent to Governor

April 6, 1973

S.B. 116

S.B. 299

S.B. 373

FIFTY-FIRST DAY (Monday, April 9, 1973)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

The following Senator was absent-excused: Wallace.

A quorum was announced present.

The Reverend James Abington, Woodlawn Baptist Church, Austin, Texas,

offered the invocation as follows:

Heavenly Father, at the very beauty of this day we are reminded of Thy greatness. Thank you for being so near, and yet so great that nothing is beyond your ability - so loving, and yet so completely infinite that nothing escapes your attention. We commit ourselves to thee, with the confidence that you can bridge all the gaps of misunderstanding and heal all the woes of humanity and impart all the guidance needed to really be alive.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 6, 1973, was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Wallace was granted leave of absence for today on account of important business on motion of Senator Hightower.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, April 9, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 548, A bill to be entitled An Act authorizing the Commissioner of the General Land Office to convey to private individuals or entities any title of the State of Texas in certain sections of land situated in El Paso County in exchange for other land of equal value in the vicinity of the Hueco Tanks State Park; and declaring an emergency.

S.B. 228, A bill to be entitled An Act relating to providing permit lists to suppliers of liquefied gas; etc.; and declaring an emergency.

S.B. 229, A bill to be entitled An Act relating to establishing permanent motor fuel tax permits with exceptions and establishing continuous bonds; etc.; and declaring an emergency.

S.B. 242, A bill to be entitled An Act relating to the issuance of permit lists to suppliers of diesel fuel; etc.; and declaring an emergency.

S.B. 332, A bill to be entitled An Act relating to the severability of statutes; and declaring an emergency.

S.B. 459, A bill to be entitled An Act to clarify an existing provision in Article I of the Texas Liquor Control Act, as heretofore amended, to remove any possible doubt as to the meaning of certain terminology used in a prior amendment to Subparagraph (b) thereof by specifying the classes of persons who may qualify for Nonresident Seller's Permit authorizing sales to holders of Wholesaler's Permits and making that applicability definite; etc.; and declaring an emergency.

H.B. 959, A bill to be entitled An Act relating to the delivery of wine and beer to hotel rooms by Mixed Beverage Permittees; amending Subsection (22), Section 15, Article I, Texas Liquor Control Act, as amended (Article 666-15, Vernon's Texas Penal Code); and declaring an emergency.

H.B. 990, A bill to be entitled An Act amending Acts 1965, 59th Legislature, Chapter 168, as amended, authorizing the commissioners court of counties with a population in excess of 900,000 inhabitants according to the most recent federal census to provide for the increase in tax for the payment of bonds issued pursuant to such act from one cent per \$100 of taxable property to two and one-half cents per \$100 of taxable property; providing for severability; and declaring an emergency.

H.B. 178, A bill to be entitled An Act authorizing the Board of Regents of East Texas State University to sell and convey certain lands; and declaring an emergency.

H.B. 182, A bill to be entitled An Act authorizing the conveyance of certain land by the Board of Regents of Texas Tech University to the Texas Highway Department and the State of Texas; and declaring an emergency.

H.B. 1289, A bill to be entitled An Act amending Article 7150, Revised Civil Statutes of Texas, 1925, as amended, by adding Section 22b to exempt from ad valorem taxation property of nonprofit corporations used for museums or galleries and museum schools; repealing Section 14 of Article 7150, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

H.B. 292, A bill to be entitled An Act relating to the inclusion of fine arts projects in certain state and public building construction projects through cooperation with the Texas Fine Arts Commission; and declaring an emergency.

H.B. 380, A bill to be entitled An Act amending the Texas Insurance Code, as amended, by adding Article 3.73, authorizing the extension of stated amounts of group term life insurance on the lives of the spouses, the children, under 21 years of age, and certain children over 21 years of age, of insureds under any policy of group term life insurance, other than credit life insurance, now authorized by law for delivery in the State of Texas; providing for the conversion of such extended insurance; providing a severability clause; and declaring an emergency.

H.B. 467, A bill to be entitled An Act relating to filing certain accident reports with cities; amending Subsection (a), Section 49, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 486, A bill to be entitled An Act relating to the furnishing of copies of certain reports to the state library; amending Article 5442, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

H.B. 549, A bill to be entitled An Act authorizing the Texas National Guard Armory Board to convey by special warranty deed to the town of Colorado City, Mitchell County, Texas, certain property situated therein; and declaring an emergency.

H.B. 555, A bill to be entitled An Act validating the incorporation and charter and charter amendment proceedings of cities and towns, including home rule cities, heretofore incorporated or attempted to be incorporated under the Constitution or general laws of Texas; validating the boundary lines thereof, as said boundaries may have been changed by ordinance since the original incorporation; validating governmental proceedings, validating proceedings pertaining to the issuance of certain revenue and ad valorem tax bonds and authorizing the adoption of all proceedings necessary or desirable to complete the issuance of such bonds; providing certain limitations as to the application of the Act; providing a non-litigation clause; providing a saving clause; and

declaring an emergency.

H.B. 570, A bill to be entitled An Act changing the name of the Texas Library and Historical Commission to the Texas State Library and Archives Commission; and declaring an emergency.

H.B. 606, A bill to be entitled An Act relating to the fair and equitable treatment of persons displaced as a result of any program involving code enforcement, rehabilitation, or demolition programs undertaken by any department, agency, or instrumentality of this state or of a political subdivision of this state; amending Chapter 45, Acts of the 61st Legislature, 1969, as amended (Article 3266b, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 628, A bill to be entitled An Act providing for the revocation of the driver's license and the application of penalties to habitual traffic law violators; and declaring an emergency.

H.B. 769, A bill to be entitled An Act relating to making the Texas Conservation Foundation Act applicable to purposes related to wildlife refuges, preservations, and management areas; amending Sections 1 and 4, Chapter 807, Acts of the 61st Legislature, Regular Session, 1969 (Article 6145-7, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 738, A bill to be entitled An Act relating to the eligibility for renewal of Mixed Beverage Permits held by corporations; amending Subsection (a), Section 58, Article I, Texas Liquor Control Act, as added by Section 9, Chapter 65, Acts of the 62nd Legislature, Regular Session, 1971 (Article 666-58, Vernon's Texas Penal Code); and declaring an emergency.

H.B. 758, A bill to be entitled An Act relating to the pay of court interpreters; amending Article 2372, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

H.B. 772, A bill to be entitled An Act validating election proceedings of certain home-rule cities with respect to the issuance of revenue bonds for waterworks purposes; authorizing the issuance of such bonds payable from net revenues of the city's waterworks and sewer system, either or both; limiting the applicability of the Act; and declaring an emergency.

H.B. 779, A bill to be entitled An Act relating to changes in the methods for appeal from The Water Well Drillers Board to the district court in the county in which the alleged violation occurred; amending Section 9, The Water Well Drillers Act, as amended (Article 7621e, Vernon's Texas Civil Statutes); repealing Chapter 388, Acts of the 62nd Legislature, Regular Session, 1971; and declaring an emergency.

H.B. 825, A bill to be entitled An Act relating to the methods of treatment of certain diseases in certain animals; amending Section 1, Chapter 191, Acts of the 56th Legislature, Regular Session, 1959 (Article 1505a, Vernon's Texas Penal Code); amending Chapter 63, Acts of the 40th Legislature, 1st Called Session, 1927, as amended (Article 1525a, Vernon's Texas Penal Code) by adding a Section 1a, amending Section 2, Chapter 53, Acts of the 41st Legislature, 1st Called Session, 1929 (Article 1525c, Vernon's Texas Penal Code); and declaring an emergency.

H.B. 858, A bill to be entitled An Act relating to the compensation of the official shorthand reporters of the 23rd and 130th Judicial Districts; repealing Chapter 518, Acts of the 60th Legislature, Regular Session, 1967 (Article 2326j-13, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 892, A bill to be entitled An Act relating to the approval of claims against a county; amending Article 1661, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

H.B. 894, A bill to be entitled An Act relating to increasing the allowed expenditures for certain county parks in counties having a population of less than 80,000; amending Section 1, Chapter 365, Acts of the 49th Legislature, 1945, as amended (Article 6079b, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 958, A bill to be entitled An Act relating to exemption from the Limited Sales, Excise and Use Tax Act certain ileostomy, colostomy, and ileal bladder appliances; amending Section (M), Article 20.04, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

REPORTS OF STANDING COMMITTEE

Senator Creighton submitted the following reports for the Committee on Economic Development:

S.B. 363
S.B. 854 (Amended)
S.B. 654 (Amended)
H.B. 226
C.S.S.B. 209 (Read first time)
S.B. 760 (Amended)
H.B. 143 (Amended)
C.S.S.B. 866 (Read first time)

HOUSE BILL ON FIRST READING

The following bill received from the House, was read the first time and referred to the Committee indicated:

H.B. 628, To Committee on Human Resources.

SENATE BILLS ON FIRST READING

By unanimous consent, the following bills were introduced, read first time and referred to the Committee indicated:

By Senator Harrington:

S.B. 892, A bill to be entitled An Act relating to the creation, maintenance, operation, administration, powers and duties, and financing of the Sabine Pass Port Authority; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Adams:

S.B. 893, A bill to be entitled An Act amending Section 2(d) (1) of Chapter 722, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 46.02, Code of Criminal Procedure, 1965, as amended); relating to the state mental hospital to which defendants shall be committed; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Braecklein:

S.B. 894, A bill to be entitled An Act relating to the presentation of facts and arguments to voters, by corporations, in elections affecting issuance of bonds or imposition of a tax; amending Sections (a) and (b), Article 213, Penal Code of Texas, 1925; and declaring an emergency.

To Committee on State Affairs.

SENATE RESOLUTION 524

Senator Hightower offered the following resolution:

WHEREAS, One of the most memorable events ever recorded in the history of Edge, Texas, occurred on April 9, 1918, with the birth of William T. "Bill" Moore, who was destined to become one of Edge's most famous citizens; and

WHEREAS, Our esteemed colleague grew up in Brazos County; he graduated from Bryan High School and entered Texas A and M University; he worked his way through college as a salesman and as a road laborer and graduated in 1940 with a B.S. degree in economics; he remained at Texas A and M as a teacher for a year and a half; and

WHEREAS, He entered military service in 1943 and served with honor and courage in both the Pacific and Atlantic theaters of war; following his discharge, he entered the University of Texas Law School and earned his Doctor of Jurisprudence; and

WHEREAS, His governmental career began in 1947 when he was elected to serve as a member of the Texas House of Representatives; in 1949, he began his first term in the Texas Senate where he had the distinction of being the youngest member; he has served continuously since that time, through 25 consecutive regular and called sessions of the Legislature, and he holds the rank of 2nd in seniority; he is recognized as an outspoken conservative leader, and has been referred to by some of his colleagues as "The Bull of the Brazos"; and

WHEREAS, Since 1955, Senator Moore has served as a member of both the Finance and State Affairs Committees of the Senate; he presently serves as chairman of the Senate State Affairs Committee for the third consecutive session; his other committee assignment placed him on the Economic Development Committee; during the 55th Called Session, he was elected to serve as President Pro Tempore of the Senate; and

WHEREAS, In recognition of his leadership ability, he was elected to serve for two terms as the Texas Director of the Southern Regional Education Board; he served on the Legislative Council for three consecutive years, and was elected to serve as a delegate to the National Tax Association; he also held the position of legislative delegate and director of the Texas Atomic Energy Advisory Board, which was created under the Southern Interstate Nuclear Compact Committee; and

WHEREAS, Many organizations have paid their highest tribute to Senator Moore in appreciation for his years of public service; the Vocational Agriculture Teacher's Association awarded him the Distinguished Service Award; he was appointed to the Distinguished Guest Committee of the American Legion; he is an honorary member of the Texas Forestry Association; he was a recipient of the 4-H Club Council Recognition Award; he received the Distinguished Public Service Award from the Sportsmen's Clubs of Texas; and the Conservation Award of the Mineral Resources Committee of Texas; and

WHEREAS, Senator Moore and his charming wife, Macille, have maintained their residence in Bryan, Texas, where he has a successful law practice; their son, Tyler, is a 1972 graduate of Baylor Law School and is a practicing attorney in Houston; now, therefore, be it

RESOLVED, That the Senate of the 63rd Session of the Legislature of Texas, convey our sincere best wishes to Senator William T. "Bill" Moore for a very happy birthday; and take this opportunity to express our highest respect and warmest regards for our distinguished colleague for his years of service as a member of the Texas Senate.

The resolution was read.

On motion of Senator Aikin and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Hightower, the resolution was adopted.

CO-AUTHOR OF SENATE BILL 854

On motion of Senator Snelson and by unanimous consent, Senator Clower will be shown as Co-author of S.B. 854.

MESSAGE FROM GOVERNOR

The following Message from the Governor was read and referred to the Committee on Education:

Austin, Texas
April 9, 1973

TO THE SENATE OF THE SIXTY-THIRD LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment: To be a Member of the Board of Regents of Midwestern University: For a six-year term to expire February 25, 1976: Mr. Frank Douthitt of Henrietta, Clay County, to replace Mr. James B. Barnett of Wichita Falls, Wichita County, who resigned.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

COMMUNICATION FROM SPEAKER OF THE HOUSE

The following Communication from Speaker of the House, Rayford Price, was read and referred to the Committee on State Affairs, Sub-Committee on Nominations:

November 6, 1972

Mr. Charles Schnabel
Secretary of the Senate
State Capitol
Austin, Texas 78711

Dear Mr. Secretary:

Please be advised that I am making the following appointment to the Board of Trustees of the Employees Retirement System of Texas, effective September 1, 1972: For a six (6) year term to expire August 31, 1978: Edward A. Stumpf, 2727 Allen Parkway, Houston, Texas (Mr. Stumpf is being reappointed to the Board.)

I hereby respectfully request the advice, consent and confirmation of the Senate for this appointee.

Sincerely,
RAYFORD PRICE

SENATE BILL 222 WITH HOUSE AMENDMENTS

Senator Moore called S.B. 222 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

AMENDMENT NO. 1

Amend S.B. 222 by striking out all language below the Enacting Clause and substituting in lieu thereof the following:

Section 1. Article 4551d, Revised Civil Statutes of Texas, 1925, as amended, is hereby amended by adding a new subsection to be known as 4551d (1) which shall read as follows:

"Article 4551d(1). The Texas State Board of Dental Examiners shall have the same power and authority to adopt, promulgate and enforce rules and regulations consistent with statutory and constitutional authority pertaining to dental laboratories and dental technicians, including classes of technicians, qualifications, standards, and examination for registration and as is contained in Article 4551d, after the Texas State Board of Dental Examiners has received the recommendations of the Dental Laboratory Advisory Board."

Sec. 2. Article 4551f, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding a Section (6) to read as follows:

"(6). (a) It shall be the duty of the owner, owners, and manager of each dental laboratory in this State to annually apply to and register each dental laboratory in this State with which he has any connection or interest with the Texas State Board of Dental Examiners on or before March 1 of each calendar year and to pay in connection with such application a fee of not less than \$25 nor more than \$200 as determined by the Board according to the needs of the Board to the Dental Registration Fund, and such application shall set forth such facts as the Board may require. It shall also be the duty of each dental laboratory technician registered pursuant to this Act and as provided by the Texas State Board of Dental Examiners in its rules and regulations to annually apply to and to register with the Texas State Board of Dental Examiners on or before March 1 of each calendar year, and to pay in connection with such application a fee of not less than \$10 nor more than \$25 as determined by the Board according to the needs of said Board to the Dental Registration Fund, and such application shall set forth such facts as the Board may require; further, a list of all other employees of a dental laboratory who are not required to register hereunder shall be furnished quarterly to the Texas State Board of Dental Examiners and to the Dental Laboratory Advisory Board as provided in the rules of the Board.

"(b) There is hereby created the Dental Laboratory Advisory Board which shall be composed of six members appointed by the Texas State Board of Dental Examiners from the dental laboratory owners or managers and dental technicians registered with the Board, four of whom shall be dental laboratory owners or managers and two of whom shall be dental laboratory technicians who are not dental laboratory owners or managers. The members of the Dental Laboratory Advisory Board shall serve six (6) year staggered terms and of the first members appointed to such Board, two shall serve for two (2) years, two shall serve for four (4) years and two shall serve for six (6) years; the length of each term of those initially appointed shall be designated by the Texas State Board of Dental Examiners at the time of appointment. The Dental Laboratory Advisory Board shall advise the Texas State Board of Dental Examiners on all matters concerning dental laboratories and dental technicians; and the Texas State Board of Dental Examiners shall refer to the Dental Laboratory Advisory Board all matters concerning rules, fees, registration and all other matters affecting

dental laboratories and dental technicians for the Advisory Board's study and recommendations thereon and such Advisory Board shall forward its recommendations, within a reasonable time, to the Texas State Board of Dental Examiners for its action upon such recommendations; and, if the majority of the members of the Texas State Board of Dental Examiners shall concur with the recommendations of the Dental Laboratory Advisory Board, then the rules, regulations or changes therein pertaining to Dental Laboratories and Dental Technicians shall be put into effect by the Texas State Board of Dental Examiners as part of its rules and regulations. The members of the Dental Laboratory Advisory Board shall be entitled to receive the same per diem payable to the members of the Texas State Board of Dental Examiners plus such travel and other expenses as are incurred in the attendance of meetings of such Board. No practicing dentist shall be a member of the Dental Laboratory Advisory Board.

"(c) From and after the effective date of this Act, it shall be unlawful for anyone other than a dental laboratory or dental technician duly registered hereunder, to fill any prescription for a dental prosthetic appliance or the repair thereof, to be delivered by a licensed dentist in this State to a dental patient.

"(d) It shall be unlawful for any person, firm, association, corporation, or combination thereof to offer or undertake in any manner to operate a dental laboratory or to do or perform any of the acts described in this Article in this State without having first obtained a certificate from the Texas State Board of Dental Examiners so to do.

"(e) The Board shall have the authority to commence in its name injunctive proceedings to enjoin any person, firm, association, corporation, or combination thereof, in violation of this Act.

"(f) The Board may refuse to issue or to renew or may suspend or revoke any certificate or license provided in this Act where, after notice and hearing, it has been determined by the Board that any person requesting or possessing such license or certificate has violated any of the provisions of Chapter 9, Title 71, Revised Civil Statutes of Texas, 1925, as amended, and the procedures to be followed in any complaint or disciplinary action, including the right of appeal for failure to issue or to renew or the suspension or revocation of a certificate or license hereunder, shall be those prescribed in Section 11, Chapter 475, Acts of the 52nd Legislature, Regular Session, 1951 (Article 4551e, Vernon's Texas Civil Statutes)."

Sec. 3. The income received from fees authorized by this Act is hereby appropriated to the Texas State Board of Dental Examiners for the fiscal years ending 1974 and 1975 for its expenditure for the implementation of this act and for the purposes listed in the General Appropriation Bill as passed by the 63rd Legislature.

"Sec. 4. All laws or parts of laws in conflict herewith are hereby repealed.

"Sec. 5. If any article, section, subsection, sentence, clause, phrase, word, or combination of words of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause, phrase, word or combination of words hereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, phrases, or words be declared unconstitutional.

"Sec. 6. The fact that the present laws regulating the practice of dentistry and its related fields of endeavor are inadequate to protect the public health, and that new legislation for such purpose is urgently needed, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house, be, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

AMENDMENT NO. 2

Amend S.B. 222, by striking out all language above the Enacting Clause and substituting in lieu thereof the following:

"S.B. 222, A bill to be entitled An Act amending Chapter 9, Title 71, Revised Civil Statutes of Texas, 1925, as amended, by adding a new Article 4551d (1) relating to the authority of the Texas State Board of Dental Examiners; amending Article 4551f, Chapter 9, Title 71, Revised Civil Statutes of Texas, 1925, as amended by adding a new Section (6) thereto, providing for classes of technicians, qualifications, standards, examination, registration, and regulation of dental laboratories and dental technicians and providing for rule making authority and an advisory board; providing for annual registration and annual fees; making it unlawful for Dental Laboratories and Dental Technicians to so operate without being in compliance with this Act; providing for suspension and revocation of certificates; providing for injunction, notice, hearing, and appeal; appropriating fees received for 1st biennium; providing a repealing clause; providing a severability clause; and declaring an emergency."

The House amendments were read.

Senator Moore moved that the Senate concur in House amendments to the bill.

The motion prevailed.

RECORD OF VOTES

Senators Mauzy, Clower and Harrington asked to be recorded as voting "Nay" on the motion to concur in House amendments.

CONSIDERATION OF SENATE BILL 821 POSTPONED

On motion of Senator Schwartz and by unanimous consent, consideration of S.B. 821 was postponed to 11:00 o'clock a.m., Tuesday, April 17, 1973.

SENATE BILL 187 ON THIRD READING

On motion of Senator Traeger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its third reading and final passage:

S.B. 187, A bill to be entitled An Act relating to the creation of mutual aid law enforcement task forces by agreement between counties or municipalities, amending Chapter 81, Page 201, Acts of the Sixty-first Legislature, Regular Session, 1969 (Article 999b, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 4.

Yeas: Adams, Aikin, Andujar, Blanchard, Brooks, Clower, Gammage, Harrington, Harris, Hightower, Jones, Kothmann, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Braecklein, Creighton, Herring and Mauzy.

Absent-excused: Wallace.

SENATE BILL 304 ON SECOND READING

On motion of Senator Hightower and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 304, A bill to be entitled An Act relating to a cooperative purchasing service through the State Board of Control for counties, home-rule cities, cities, villages, and towns organized under general law, special districts, school districts, junior college districts, and other legally constituted political subdivisions of the state or combinations of these; and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 304 ON THIRD READING

Senator Hightower moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 304 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Ogg.

Absent-excused: Wallace.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**COMMITTEE SUBSTITUTE SENATE BILL 388
ON SECOND READING**

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 388, A bill to be entitled An Act relating to the taking of wine from the premises of a mixed beverage establishment; amending Subsections (f) and (g), Section 20b, Article I, Texas Liquor Control Act, as amended (Article 666-20b, Vernon's Texas Penal Code); and declaring an emergency.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Adams, Mauzy, Hightower, Clower and Aikin asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**MOTION TO PLACE COMMITTEE SUBSTITUTE
SENATE BILL 388 ON THIRD READING**

Senator Herring moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 388 be placed on its third reading and final passage.

The motion was lost by the following vote: (Not receiving four-fifths vote of the Members present) Yeas 22, Nays 7.

Yeas: Andujar, Blanchard, Braecklein, Brooks, Creighton, Gammage, Harrington, Herring, Kothmann, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Traeger and Wolff.

Nays: Adams, Aikin, Clower, Hightower, Jones, Mauzy and Snelson.

Absent: Harris.

Absent-excused: Wallace.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, April 9, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House refused to concur in Senate amendments to House Bill 185 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House Conference: Willis, Salem, Poernor, Hutchison and Leland.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

SENATE BILL 703 ON SECOND READING

Senator Hightower asked unanimous consent to suspend the regular order of business and take up S.B. 703 for consideration at this time.

There was objection.

Senator Hightower then moved to suspend the regular order of business and take up S.B. 703 for consideration at this time.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Blanchard.

Absent-excused: Wallace.

The President laid before the Senate on its second reading and passage to engrossment:

S.B. 703, A bill to be entitled An Act amending Statutes ; relating to deferring collection of delinquent ad valorem taxes on real property owned and occupied by a person sixty-five (65) years of age or older; and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 703 ON THIRD READING

Senator Hightower moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 703 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Absent-excused: Wallace.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

SENATE BILL 593 ON SECOND READING

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 593, A bill to be entitled An Act relating to pilot programs for the detection of certain health defects and problems in school children; etc.; and declaring an emergency.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Aikin asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

MOTION TO PLACE SENATE BILL 593 ON THIRD READING

Senator Mauzy moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 593 be placed on its third reading and final passage.

The motion was lost by the following vote: (Not receiving four-fifths vote of the Members present) Yeas 22, Nays 8.

Yeas: Adams, Blanchard, Braecklein, Brooks, Clower, Gammage, Harrington, Hightower, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Aikin, Andujar, Creighton, Harris, Herring, Jones, Mengden and Moore.

Absent-excused: Wallace.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, April 9, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 479, A bill to be entitled An Act amending Chapter 889, Acts of the 61st Legislature, Regular Session, 1969, as amended by Chapter 540, Acts of the 62nd Legislature, 1971, Regular Session (codified as Section 21.080 of the Texas Education Code); relating to the payment of tuition for certain individuals to attend an adjacent public school; and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

SENATE BILL 420 ON SECOND READING

Senator Mauzy asked unanimous consent to suspend the regular order of business and take up S.B. 420 for consideration at this time.

There was objection.

Senator Mauzy then moved to suspend the regular order of business and take up S.B. 420 for consideration at this time.

The motion prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Adams, Aikin, Andujar, Bracklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Hightower, Jones, Kothmann, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Blanchard, Herring, Longoria, McKinnon and Patman.

Absent-excused: Wallace.

The President laid before the Senate on its second reading and passage to engrossment:

S.B. 420, A bill to be entitled An Act relating to the expansion of existing centers, branches, upper level post-secondary institutions into four-year colleges, universities; adding Subsection (a) to Section 61.056 of the Texas Education Code; repealing all laws in conflict; and declaring an emergency.

The bill was read second time.

Senator Aikin offered the following amendment to the bill:

Amend S.B. 420 by adding a new section to be numbered 1A to read as follows:

"Nothing in this act shall in any way affect, alter or amend the present status of any existing branch, center or upper level institution in existence at the time of the passage of this bill."

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

RECORD OF VOTES

Senators Blanchard, McKinnon and Patman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 420 ON THIRD READING

Senator Mauzy moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 420 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Hightower, Jones, Kothmann, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Blanchard, Herring, Longoria, McKinnon and Patman.

Absent-excused: Wallace.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Blanchard, McKinnon, Patman and Traeger asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE BILL 305 ON SECOND READING

On motion of Senator Clower and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 305, A bill to be entitled An Act relating to fares charged by certain transportation systems; amending Section 8, Chapter 505, Acts of the 55th Legislature, Regular Session, 1957 (Article 1118w, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 305 ON THIRD READING

Senator Clower moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 305 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Absent-excused: Wallace.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

SENATE BILL 405 ON SECOND READING

On motion of Senator Clower and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 405, A bill to be entitled An Act relating to the removal of dedication of property for cemetery purposes under certain circumstances; etc.; and declaring an emergency.

The bill was read second time.

Senator Clower offered the following Committee Amendment to the bill:

Amend S.B. 405, Section 1 by deleting subsection (b) of quoted Sec. 11 and substituting therefor the following:

"(b) In the event the United States of America, or the State of Texas, or a County in Texas, or a municipality or any other duly constituted governmental sub-division has made definite determination that a new highway, thoroughfare, road, or street shall be constructed along a definite proposed route, or that an existing highway, thoroughfare, road, or street shall be widened, and such determination is a matter of public record, and if after such determination any property lying within the confines of such proposed route is dedicated for cemetery purposes, such dedication for cemetery purposes shall be presumed to have been made in fraud of the rights of the public and as being made for the sole purpose of enhancing the value of property to be condemned, and the district court of the county in which such land or any part of such land so dedicated lies may, in a suit filed by such governmental sub-division to remove such dedication, remove such dedication for cemetery purposes insofar as such dedication covers land lying within the confines of such proposed highway, thoroughfare, road, or street."

The Committee Amendment was read and was adopted.

RECORD OF VOTE

Senator Patman asked to be recorded as voting "Nay" on the adoption of the Committee Amendment.

The bill as amended was passed to engrossment.

RECORD OF VOTE

Senator Patman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 405 ON THIRD READING

Senator Clower moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 405 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Patman.

Absent-excused: Wallace.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Patman asked to be recorded as voting "Nay" on the final passage of the bill.

LEAVE OF ABSENCE

Senator Herring was granted leave of absence for the remainder of today on account of important business on motion of Senator Hightower.

SENATE BILL 253 ON SECOND READING

Senator Moore asked unanimous consent to suspend the regular order of business and take up S.B. 253 for consideration at this time.

There was objection.

Senator Moore then moved to suspend the regular order of business and take up S.B. 253 for consideration at this time.

The motion prevailed by the following vote: Yeas 24, Nays 5.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Hightower, Jones, Kothmann, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson and Traeger.

Nays: Blanchard, Longoria, Mauzy, Patman and Wolff.

Absent-excused: Herring and Wallace.

The President laid before the Senate on its second reading and passage to engrossment:

S.B. 253, A bill to be entitled An Act amending Article 2.09 of the Texas Miscellaneous Corporation Laws Act, enacted by Section 1, Chapter 205, Acts of the 57th Legislature, Regular Session, 1961 (Article 1302-2.09, Vernon's Texas Civil Statutes), relating to the authority of certain corporations to borrow money and setting maximum interest rates thereon; prohibiting the plea or defense of usury in certain instances; providing exemptions; and declaring an emergency.

The bill was read second time and was passed to engrossment by the following vote: Yeas 21, Nays 8.

Yeas: Adams, Andujar, Braecklein, Brooks, Creighton, Gammage, Harrington, Harris, Hightower, Jones, Kothmann, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson and Traeger.

Nays: Aikin, Blanchard, Clower, Longoria, Mauzy, McKinnon, Patman and Wolff.

Absent-excused: Herring and Wallace.

MOTION TO PLACE COMMITTEE SUBSTITUTE SENATE BILL 427 ON SECOND READING

Senator Mauzy asked unanimous consent to suspend the regular order of business and take up C.S.S.B. 427 for consideration at this time.

There was objection.

Senator Mauzy then moved to suspend the regular order of business and take up C.S.S.B. 427 for consideration at this time.

The motion was lost by the following vote: Yeas 8, Nays 21.

Yeas: Clower, Gammage, Jones, Mauzy, McKnight, Schwartz, Snelson and Traeger.

Nays: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Creighton, Harrington, Harris, Hightower, Kothmann, Longoria, McKinnon, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Sherman and Wolff.

Absent-excused: Herring and Wallace.

CONFERENCE COMMITTEE ON HOUSE BILL 185

Senator Moore called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H.B. 185 and moved that the request be granted.

The motion prevailed.

HOUSE CONCURRENT RESOLUTION 119 RE-REFERRED

On motion of Senator Hightower and by unanimous consent, H.C.R. 119 was withdrawn from the Committee on Human Resources and re-referred to the Committee on Administration.

HOUSE BILLS ON FIRST READING

The following bills received from the House, were read the first time and referred to the Committee indicated:

H.B. 894, To Committee on Intergovernmental Relations.
H.B. 858, To Committee on Intergovernmental Relations.
H.B. 892, To Committee on Intergovernmental Relations.
H.B. 570, To Committee on State Affairs.
H.B. 555, To Committee on Intergovernmental Relations.
H.B. 549, To Committee on State Affairs.
H.B. 772, To Committee on Intergovernmental Relations.
H.B. 958, To Committee on State Affairs.
H.B. 959, To Committee on State Affairs.
H.B. 990, To Committee on Intergovernmental Relations.
H.B. 758, To Committee on Intergovernmental Relations.
H.B. 779, To Committee on Natural Resources.
H.B. 292, To Committee on State Affairs.
H.B. 606, To Committee on Intergovernmental Relations.
H.B. 548, To Committee on State Affairs.
H.B. 769, To Committee on Natural Resources.
H.B. 467, To Committee on Intergovernmental Relations.
H.B. 1289, To Committee on State Affairs.
H.B. 486, To Committee on State Affairs.
H.B. 380, To Committee on Economic Development.
H.B. 178, To Committee on State Affairs.
H.B. 182, To Committee on State Affairs.
H.B. 738, To Committee on State Affairs.
H.B. 825, To Committee on Natural Resources.

NOTICES OF INTENT

The following Notices of Intent were filed with the Secretary of the Senate:

Tuesday, April 10, 1973

C.S.S.B. 33 - Senator Longoria
S.B. 123 - Senator Gammage
C.S.S.B. 252 - Senator Gammage
S.B. 253 - Senator Moore
C.S.S.B. 388 - Senator Herring
S.B. 407 - Senator Clower
S.B. 465 - Senator Brooks
S.B. 593 - Senator Mauzy
S.B. 614 - Senator Patman
S.B. 649 - Senator Schwartz
C.S.S.B. 701 - Senator Meier
C.S.S.B. 748 - Senator Brooks
S.B. 850 - Senator Creighton
S.B. 854 - Senator Snelson
S.B. 867 - Senator Herring
S.J.R. 19 - Senator Sherman
S.J.R. 29 - Senator Traeger
H.B. 120 - Senator Gammage
H.B. 143 - Senator Adams

Wednesday, April 11, 1973

H.B. 9 - Senator Adams

C.S.H.B. 11 - Senator Mauzy
H.B. 188 - Senator McKnight
H.B. 361 - Senator Mauzy

Friday, April 13, 1973

S.B. 227 - Senator Mauzy
S.B. 363 - Senator Mauzy

MEMORIAL RESOLUTIONS

S.R. 520 - By Senator Snelson: Memorial resolution for O. C. "Kip" Harper.

S.R. 521 - By Senator Snelson: Memorial resolution for Rudolph A. Hoefs.

S.R. 522 - By Senator Snelson: Memorial resolution for Miss Bari Ann Blackaller.

CONGRATULATORY RESOLUTIONS

S.R. 513 - By Senator Adams: Extending congratulations to L. D. Self.

S.R. 514 - By Senator Adams: Extending congratulations to Members of faculty of Stephen F. Austin.

S.R. 515 - By Senator Adams: Extending congratulations to Mike Towns.

S.R. 516 - By Senator Adams: Extending congratulations to Mrs. Bertha Wiggins.

S.R. 517 - By Senator Creighton: Extending congratulations to L. L. Wilkes.

S.R. 518 - By Senator Snelson: Extending congratulations to Captain John W. Anderson.

S.R. 519 - By Senator Snelson: Extending congratulations to Lt. Colonel Louis F. Maskowski.

S.R. 523 - By Senator Brooks: Extending congratulations to Faith Watson.

S.R. 525 - By Senator Harrington: Extending congratulations to Texas Senior Citizens Association.

ADJOURNMENT

On motion of Senator Aikin the Senate at 12:40 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.